CONCLUSION

For the reasons stated, it is respectfully submitted that the Petition for a Writ of Certiorari should be granted.

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PREW SAVOY,
Of Counsel.

APPENDIX "A"

Sec. 203. United States Shipping Board Merchant Fleet Corporation dissolution and transfer of property; disposition of pending suits; ratification of payments to employees.

(a) The United States Shipping Board Merchant Fleet Corporation shall cease to exist and shall stand dissolved. All the records, books, papers and corporate property of said dissolved corporation shall be taken over by the Commission. All existing contractual obligations of the dissolved corporation shall be assumed by the United States. Any suit against the dissolved corporation pending in any court of the United States shall be defended by the Commission upon behalf of the United States, under the supervision of the Attorney General, and any judgment obtained against the dissolved corporation in any such pending

suit shall be reported to Congress in the manner provided in section 226, title 31, United States Code, for reporting judgments against the United States in the Court of Claims. (June 29, 1936, c. 858, Title II, Sec. 203, 49 Stat. 1987.).

APPENDIX "B"

Section 41. (*Judicial Code, section 24, amended.*) *Original jurisdiction.* The district courts shall have original jurisdiction as follows:

(20) *Suits against United States.* Twentieth. Concurrent with the Court of Claims, all claims not exceeding $10,000 founded upon the Constitution of the United States or any law of Congress, or upon any regulation of an executive department, or upon any contract, express or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect to which claims the party would be entitled to redress against the United States, either in a court of law, equity or admiralty if the United States were suable, * * * * * *. (Mar. 3, 1887, c. 359, Secs. 1, 2, 24 Stat. 505; June 27, 1898, c. 503, Sec. 1, 30 Stat. 494; July 1, 1898, c. 546, Sec. 3, 30 Stat. 649; Feb. 26, 1900, c. 25, 31 Stat. 33; Mar. 3, 1911, c. 231, Sec. 24, par. 20, 36 Stat. 1093; Nov. 23, 1921, c. 136, Sec. 1310 (c), 42 Stat. 311; June 2, 1924, 4.01 p.m., c. 234, Sec. 1025 (c), 43 Stat. 348; Feb. 24, 1925, c. 309, 43 Stat. 972.

APPENDIX "C"

Sec. 250. (*Judicial Code, section 145.*) *Jurisdiction.* The Court of Claims shall have jurisdiction to hear and determine the following matters:

(1) *Claims against United States.* First. All claims (except for pensions) founded upon the Constitution of the United States or any law of Congress, upon any regulation of an executive department, upon any contract, express or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable: *Provided, however,* That nothing in this section shall be construed as giving to said court jurisdiction to hear and determine claims growing out of the late civil war, and commonly known as "war claims," or to hear and determine other claims which, prior to March 3, 1887, had been rejected or reported on adversely by any court, department, or commission authorized to hear and determine the same. (Mar. 3, 1887, c. 359, Sec. 1, 24 Stat. 505; Mar. 3, 1911, c. 231, Sec. 145, 36 Stat. 1136.)